REMARKS

This Amendment and Response are provided in response to the Examiner's Answer dated April 26, 2006.

In the Examiner's Answer, a new grounds of rejection under 35 U.S.C. §101 of claims 1-15 was presented. Applicants have considered the rejection and have amended the claims and/or provided arguments with respect to the rejection.

With regard to claim 12, it is respectfully submitted that the claimed data structure defines both the structural and functional inter-relationships between the data structure and the other aspects of the invention which permits the data structures functionality to be realized. Claim 12 recites a data structure stored on a computer readable medium states that a claimed computer-readable medium encoded with a data structure that defines the structural and functional inter-relationships between the data structure and the computer software and hardware components which permits the data structures functionality to be realized, and is thus statutory (MPEP §2106 IV. B.1(a)).

Therefore, it is respectfully submitted that claim 12 when read in whole recites a data structure having both functional and structural inter-relationships between the data structure and the computer software and hardware that produces a useful, concrete and tangible result.

As for the rejection of claims 1-11 and 13-15 on page 14 of the Examiner's Answer, second sentence, it states "for example, merely assembling a new set of pre-existing tags for presentation without creating anything new, in other words, rearranging data or narrowing the amount of data presented has been interpreted as just a thought or a computation within a processor and thus not tangible." However,

there is no citation to support this interpretation. In addition, the statement itself seems to be contradictory as merely assembling a new set of pre-existing tags for presentation without creating anything new. (emphasis added).

In addition, claims 1 and 13 recite among other features "presenting an initial set of descriptor tags using the output means" and "the instructions generated by the user" and, finally, "presenting the descriptor tags of the new set of information units using the output means", which are process steps that produce both a useful result providing new descriptor tags based on the users instruction and a tangible result presentation of the new descriptor tags to a user.

On page 19 of the Examiner's Answer, the Examiner states "rearranging data or narrowing the amount of data to be presented has been interpreted as just a thought or a computation within a processor and, thus, not tangible."

However, this does not address the steps of presenting the data to a user based on a user selection, which are tangible. The claim recites structural and function features which perform steps more than "merely assembly" data.

As for the Office's assertion that the claimed invention lacks specific, substantial and credible utility, this is completely misapplied.

The claims recite a specific utility for assisting a user to select among information units of a plurality of structured information units concerning at least one of products, there use and technical solutions in relation to bearings and seals. Applicants are unsure how to make that more specific as to the utility of the invention. If the Examiner has any suggestion as how to make that statement more specific, he is respectfully requested to provide such advice. As for substantial utility, MPEP §2107.01 I. B. states utilities that require or constitute carrying out

further research to identify or reasonable confirm a "real world" context of use are not substantial utilities. The MPEP section ends with the statement, "rather, any reasonable use that an Applicant has identified for the invention can be viewed as providing a public benefit should be accepted as sufficient, at least with regard to defining a "substantial" utility."

Finally, with regard to whether the utility of the application is credible, i.e., whether the assertion of utility is believable to a person of ordinary skill in the art based on the totality of evidence and reasoning provided, Applicants assert that the utility is credible. MPEP §2107.02 III. B. Therefore, based on the teachings in the above MPEP section, the claimed invention is of credible utility.

In light of all of the above, it is respectfully submitted that Applicants have overcome the 35 U.S.C. §101 rejection which, therefore, should be withdrawn.

With regard to the claim rejections, Applicant's respond in the following:

Claims 1-11 and 13-15[1]

The combination of Jammes et al. and Maynard does not disclose all of the claimed features.

Claim 1 recites an information unit comprising an information item, a descriptor tag, a structure tag, a solution tag and end pointers. An information item comprises information related to at least one of the products, its use, and technical solutions in relation to bearings and seals. A descriptor tag indicates the information contents of the information item. The structure tag points to at least one information unit in an information unit structure database. The information unit structure database includes the information units of the information unit database. A solution

[1] For ease of consideration, the paragraph numbers from the original specification shall be used.

category tag points to at least one information unit in the information unit structure database and indicates the information unit belonging to one of design, reliability, maintenance, and training categories. Also defined are pointers, which interconnect the information item to the descriptor tag, the solution category tag and the structured tag to an information unit.

The Examiner alleges that claim 1 is substantially similar to claims 12 and 13. However, claim 1 incorporates several limitations that do not appear in claims 12 and 13 (see page 7, paragraph 12 of the final Office Action). For instance, the Examiner's Answer does not address any of the specific tags or the interconnection between them by the use of pointers as recited in claim 1.

Jammes et al. is specifically directed to a store design user interface which is used to design an electronic store by a merchant that wants to begin an online store. (See column 3, lines 1-12). It is not directed to allowing a user who is a customer as in Applicants' system, to select from among information units of a plurality of structured information units concerning at least one of the products, its use, and technical solutions in relation to bearings and seals as recited in independent claim 1.

Since claim 1 was rejected under the same rationale as claim 13, several of the features of claim 1 will be addressed with respect to the rejection of claim 13 in the rejection beginning on page 2 of the final Office Action. For example, claim 1 recites an information unit. At page 3 of the Examiner's Answer, the Office states that the product of Jammes is synonymous with the claimed descriptor tags. However, nowhere in the Jammes patent is it states that the product indicates

information contents of the information item comprised within an information unit as recited in the claim.

In setting forth the rejection of claim 13, the Office refers to column 28, lines 6-14 of the Jammes et al. patent, which describes a process of a Get_Subordinate_Groups routine. According to Jammes et al., this routine returns a pointer to a linked list of group structures and/or products in a refresh method. During the refresh method, the linked list is sequentially navigated until a null pointer is encountered. The Action goes on to state that column 45, lines 3-6 of Jammes et al. purportedly teaches the recited step of d) selectively repeating steps b) and c) at the users request. However, the sections of Jammes et al. relied upon is not related to the claimed step of "b) receiving an instruction to assemble a new set of descriptor tags, the instruction being generated by a user using an input device to select one of a structure tag and a solution category tag, the instruction resulting in the generation of a new set of information units, where at least one of the structure and the solution category tags of the information units in the new set are interconnected to the information units of a previous set." Rather, column 45, lines 3-6 of Jammes et al. describes processes including creating data records by way of group dialog boxes 1301 and product dialog boxes 1320, preparing HTML template files, and associating the template files with groups and products. (See, the description beginning on line one of column 42 to line 62 of column 44.) This description does not, however, relate to repeating the claimed steps b) and c), which include, among other features, receiving an instruction to assemble a new set of descriptor tags in which the instruction is generated by a user selecting one of structure tag and a solution category tag.

The Examiner's Answer also acknowledges that the Jammes et al. patent fails to teach solution category tags as claimed. The Office, therefore, relies on the description in column 23, line 33 to column 24, line 12 (which is claim 28) of Maynard to describe categorical tags. It is respectfully submitted, however, that the Maynard patent does not remedy the shortcomings of Jammes et al. First, it is respectfully submitted that one of ordinary skill in the art would not have looked to the information management, searching and retrieval system of the Maynard patent to modify the Jammes et al. system of designing and operating an electronic store as suggested by the Examiner because these there is no teaching or suggestion for doing within these disparate documents. Second, even if one were to consider, for the sake of argument, that one of ordinary skill in the art were to somehow modify the Jammes et al. system to include categorical tags as taught in Maynard, such hypothetical modification would not have resulted in the combination of features recited in claim 13.

Referring to the description starting at column 1, line 48, the Maynard patent describes a system including a break module that parses through an information resource such as a document, a group of documents or a stream of information to create a number of "finite elements," such as paragraphs, sections, sub-sections, and segments. The break module also creates and assigns categorical tags for each of the finite elements based on a set of expert rules. Next, Maynard describes an "index module" that parses through the finite elements identified/created/ processed by the break module to create a searchable database of records, each record corresponding to one of the finite elements. Each of these records includes an address or location of the corresponding finite element, the categorical tag

assigned to the finite element, and a string contained in the finite element and its frequency within the finite element. An end user of the Maynard system enters a search string as a search query and a "search module" searches through the index of the database records for records matching a specific search term or query. Search results are displayed in a collapsible/expandable structures according to categorical tags. After matched records are displayed, a user selects a displayed finite element from results of a search, and an "un-break module" operates to allows a user to view a contiguous portion of the informational resource to which the finite element belongs. Hence, the categorical tags of the Maynard system do not relate to the solution category tags of the present invention because a user does not select a categorical tag. Rather, a user of the Maynard system selects a finite element arranged in a display, which results in reproducing a "finite element" record within the context of related contiguous portions of the information resource. Moreover, such selection does not teach or suggest the claimed features of generating an instruction to assemble a new set of descriptor tags, which results in generating a new set of information units including structure and category tags interconnected to information units of a previous set.

Similar distinctions are recited in independent claim 1, which is directed to a computer program product. Additionally, claim 1 recites that each information unit includes an information item comprising information related to at least one of the products, their use and technical solutions in relation to bearings and seals, and that a solution category tag points to at least one information unit in the information unit structure database and indicates that the information unit belongs to one of design, reliability, maintenance and training categories. It is respectfully submitted that

column 8, lines 11-13 of the Jammes patent relied upon by the Office for allegedly teaching this feature does not mention or suggest this combination of specific features recited in claim 1.

By contrast, the present invention set forth in claim 1 provides two structures that interact with, or point to, the information units in the information unit database comprising information related to at least one of the products, their use and technical solutions in relation to bearings and seals. This leads to an advantage since the present invention offers two possibilities of finding a desired information unit. First there is the possibility of selecting the structure tags, which are based on products and/or uses of bearings and seals. Second there is the possibility of selecting solution category tags, which are based on the solution category, i.e. whether the information unit deals with design, reliability, maintenance or training in relation to bearings and seals. The combination of these two possibilities, which facilitates easy and swift retrieval of needed information, is not taught or suggested in the proposed combination of the Jammes et al. and Maynard patents.

Furthermore, Applicants assert that Maynard does not disclose or suggest receiving an instruction to assemble a new set of descriptor tags, the instruction being generated by a user using an input device to select one of a structure tag and a solution category tag, the instruction resulting in the generation of a new set of information units, where at least one of the structure and the solution category tags of the information units in the new set is interconnected to the information units of the previous set as recited in step b) of claim 1, when taken in the context of the present application.

Nor does the Examiner's Answer explain how the features of Maynard would be combined or interact with the system of Jammes et al. The Examiner's Answer cites keywords in the Jammes et al. and Maynard references with the suggestion that they relate to features of claim 1 without describing the interaction of Maynard with Jammes et al.

Jammes et al. or Maynard individually, or in combination do not disclose or suggest all of the features recited in the claims.

No suggestion or motivation to combine Maynard with Jammes et al.

In the Advisory Action dated December 7, 2005 (lines 16-18), the Examiner states that "the obviousness relied upon was based in the knowledge known to one of ordinary skill in the art at the time of the invention." However, the mere statement that the "knowledge known to one of ordinary skill in the art" is insufficient to establish a prima facie case of obviousness. There must be some objective reason to combine the teachings of the references. *Ex. Parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). In addition, the mere level of skill in the art cannot be relied upon to provide the suggestion to combine references. *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999).

Furthermore, neither the Maynard reference nor the Jammes et al. reference provides any suggestion of the desirability of the combination of Jammes et al. with Maynard because Jammes et al. already has a search function which provides a collapsible/expandable display, which is the basis of the obviousness rejection relied upon by the Examiner.

There must be something in the prior art as a whole to suggest the desirability of making the combination. *In re Fulton*, 391 F.2d 1195, 1200-01, 73 USPQ2d 1140,1145-46 (Fed. Cir. 2004). The Maynard system is drawn to conventional search tools such as Infoseek, Altavista and Hotbot, which organize the result of their search according to the number of hits of the search word for each document found (column 1, lines 20-40). The Maynard patent asserts that search results from each of the above search tools would benefit from a collapsible/expandable search result display as disclosed. This is apparently not such a desirable feature because a review of common search engines, such as Infoseek, Alta Vista, HotBot and Google reveals that none have implemented such as a collapsible/expandable display feature for its search results. More importantly, the broad allegation that some change could be beneficial is not a substitute or an explanation as to why it would be beneficial or what these benefits would be. One of skill in the art would not look to Maynard to improve the search engine results display of Jammes et al., particularly, since Jammes et al. already uses a collapsible/expandable search result display. (See Figure 3, element 338 and column 26, lines 24-48).

Accordingly, claims 1-11 and 13-15 are allowable over the applied prior art.

Claim 12

The combination of Jammes et al. and Maynard does not disclose all of the features of the claim.

The Office Action asserts that Jammes et al. discloses at column 42, lines 21-26, the features of a descriptor tag indicating informational contents of said information item and a structure tag pointing to at least one information unit and said

data structure. This section of Jammes states data records represent products which the Office has equated to the claimed descriptor tags. It is unclear how the product of Jammes is interconnected with the information item, the descriptor tag, the solution category tag and the structure tag by pointers to the information unit based on a user selection as recited in the claim.

A review of column 42, as well as column 43, reveals that the citation relied upon by the Examiner states that the HTML authoring tool produces a template file representing a template page. Each template file includes HTML formatting codes (or tags), text content, and references to a product information database, which can be resolved to extract information about a group or product. Although Jammes et al. asserts that HTML formatting codes (or tags) can be placed within the template page, the reference does not describe a descriptor tag indicating informational contents of said information and a structure tag pointing to at least one information unit in said data structure as recited in claim 12.

The cited passages of Jammes et al. do not disclose a descriptor tag indicating informational contents of said information item within an information unit. At best, it discloses that the HTML formatting codes or tags can be resolved to extract information about a group or product. It does not stand for the proposition that the descriptor tag indicates informational contents of said information item.

As for the feature of a structure tag pointing to at least one information unit in said data structure, it is unclear how the cited passage of Jammes et al. discloses such a feature. In particular, in the next sentence of the rejection after the recited limitation of a structure tag pointing to at least one information unit in said data structure, the Examiner states that Jammes et al. does not explicitly teach pointers.

Reviewing this text describing the hierarchical system of Jammes in comparison to Applicants' Figures 1 and 2, for instance, it is clear that Applicants' do not disclose a hierarchical system. The Examiner relies upon Maynard to disclose the features of a solution category tag pointing to at least one information unit in the data structure.

As mentioned above, Maynard is directed to an information management and retrieval system. It utilizes features such as the break module to create categorical tags for each of the finite elements within documents that are searched. The categorical tags are created by an expert system during searches. The portions of Maynard relied upon by the Examiner are taken from the Background and Summary sections of Maynard's specification. However, the solution category tags of the information unit exist prior to any search being performed as recited in the independent claims and as shown in Applicants' Figures 1 and 2.

Claim 12 recites that each information unit in said data structure comprises new formation item, a descriptor tag, a structured tag, a solution category tag, end pointers interconnecting information item, the descriptor tag, the solution category tag and the structure tag to an information unit. The rejection of claim 12 identifies citations from the Jammes et al. and Maynard references that allegedly describe or disclose each of the items or tags without stating how the cited text of Jammes et al. and Maynard disclose an information unit comprises each of the claimed elements.

The Examiner states that neither Jammes et al. nor Maynard explicitly teach indicating membership of the information unit to one of design reliability and maintenance and training categories or information item, including information related to one of bearings and seal. The Examiner alleges that it would be obvious to one of ordinary skill in the art at the time of the invention to be motivated to use or

modify the combined invention of Jammes et al. and Maynard to provide for the recited limitations.

Jammes et al. discloses the types of products that would be part of the electronic store. Jammes et al. does not disclose providing additional information such as design, reliability, maintenance and training categories for a product. As for Maynard, it is directed an information search and retrieval system, and does not provide any suggestion of adding these additional information units that are directed to design, reliability, maintenance and training categories. Accordingly, the Examiner appears to be relying upon hindsight to provide the necessary nexus between the claimed embodiments and the applied prior art. The combined teachings of Jammes et al. and Maynard would not have provided sufficient suggestion or motivation to one of ordinary skill to derive the features recited in claim 12 (or claims 1 and 13 for similar reasons).

Jammes et al. discloses a HTML template file to arrange all of the information regarding the products of the electronic store. Maynard et al disclose a system which uses expert rules to breakdown a document or informational source until a structure that allows for more efficient management, search and retrieval of the information within the information resources. Break module 10 based on expert rules to create the category tags resulting from a search. In contrast, Jammes et al. establishes the HTML template file when the store is initially created. Therefore, one would not look to Maynard to modify the system of Jammes et al. because the categorical tags would have been created after the HTML template file of Jammes et al. was created. Without using improper hindsight, neither reference discloses or suggests that a structured category tag would be created, points to at least one

information unit in a data structure; and indicates membership of the information unit to one of design reliability, maintenance and training categories as recited in the present claims.

No suggestion or motivation to combine Maynard with Jammes et al.

The Office asserts that the motivation to combine the invention of Jammes et al. with the invention of Maynard would allow the users of Jammes the benefit of an information management, retrieval and display system for searching through an informational resource and for displaying the results of the search in a collapsible/expandable format based upon user selected display criteria or hierarchy. (See Examiner's Answer, page 9, Advisory Action paper no. 20051130, page 6 of the final Office Action, paper no. 20050614). However, this motivation is misplaced for similar reasons to that given above with respect to claims 1 and 13.

Further, claim 12 is directed to a data structure. It is unclear how the Office's motivation to combine Jammes et al. and Maynard is related to a data structure. One of ordinary skill in the art at the time of the invention would not have been motivated to combine Jammes et al. with Maynard to create the claimed data structure because Maynard is directed to an information management system and display of search results in a collapsible/expandable format, while Jammes at al. is directed to the creation of an electronic store. Neither Jammes et al. nor Maynard disclose or suggest, either individually, or in combination, an information unit comprising the features recited in claim 12.

Claim 12 is allowable for the above reasons.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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